

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>DERRIS LEWIS, et al.,</b>	:	
	:	
<b>Plaintiffs,</b>	:	
	:	<b>Civil Action No. 2:10-CV-125</b>
<b>v.</b>	:	<b>Judge Algenon L. Marbley</b>
	:	<b>Magistrate Judge Deavers</b>
<b>ALTHEA YOUNG, et al.,</b>	:	
	:	
<b>Defendants.</b>	:	

**ORDER**

This matter is before the Court on the Motion to Dismiss Pursuant to FRCP 41(a). (Doc.

4.) On February 12, 2010, Plaintiffs initiated this action in this Court. On April 14, 2010, Plaintiffs filed a motion to voluntarily dismiss this case because the claim has been settled by the parties through negotiation. Defendants have not yet filed an answer or otherwise pled. There are no counterclaims or cross-claims pending in this matter. Federal Rule 41(a) provides that "the plaintiff may dismiss an action without court order by filing...a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Fed. R. Civ. P. 41(a)(1). Plaintiffs Motion to Dismiss is **GRANTED**. This case is dismissed without prejudice.

**IT IS SO ORDERED.**

s/Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**United States District Court Judge**

**DATED: April 16, 2010**